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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

BOARD OF TRUSTEES OF THE  
LABORERS HEALTH AND WELFARE  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS VACATION-HOLIDAY  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS PENSION TRUST FUND  
FOR NORTHERN CALIFORNIA; and  
BOARD OF TRUSTEES OF THE  
LABORERS TRAINING AND RETRAINING  
TRUST FUND FOR NORTHERN  
CALIFORNIA,

Plaintiffs,

vs.

SOIL ENTERPRISES INC., a California  
Corporation; KENNETH WAYNE  
MANNING, an individual,

Defendants.

Case No.: C 13-00753 EDL

**CASE MANAGEMENT CONFERENCE  
STATEMENT; ORDER THEREON**

**Date: June 4, 2013**  
**Time: 10:00 a.m.**  
**Ctroom: E, 15<sup>th</sup> Floor**  
**Chief Magistrate Judge Laporte**

Plaintiffs provide this abbreviated Case Management Conference Statement.

On February 20, 2013, plaintiffs filed their Complaint for Damages for Breach of  
Collective Bargaining Agreement, To Recover Unpaid Trust Fund Contributions, For Breach of  
Fiduciary Duty and for a Mandatory Injunction ("Complaint").

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1 The Complaint was served on defendants on February 23, 2013. Defendants failed to  
 2 file a responsive pleading. On April 5, 2013, Plaintiffs filed their Request for Entry of Default  
 3 against defendants. On April 9, 2013, the Clerk of the Court entered the default of both  
 4 defendants.

5 Plaintiffs will proceed in default and will have a motion for default judgment filed  
 6 within forty-five (45) days. Based on the above, Plaintiffs respectfully request that this Court  
 7 continue the June 4, 2013, case management conference for approximately forty-five days.

8 DATED: May 21, 2013

9 BULLIVANT HOUSER BAILEY PC

10  
 11 By Ronald L. Richman  
 12 Ronald L. Richman  
 13 Susan J. Olson

14 Attorneys for Plaintiffs

15 **ORDER**

16 Pursuant to the Plaintiffs' request to continue the case management conference and good  
 17 cause appearing: IT IS HEREBY ORDERED that the June 4, 2013, case management  
 18 conference be continued to July 16, 2013 at 10:00 a.m., Courtroom E, 15<sup>th</sup> floor. If  
 19 plaintiffs file their motion for default judgment prior to the rescheduled case management  
 20 conference, the case management conference will be vacated.

21 DATED: May 22, 2013

22 By Elizabeth D. Laporte  
 23 HON. ELIZABETH D. LAPORTE  
 24 CHIEF MAGISTRATE JUDGE

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